



PUBLIC NOTICE

Federal Communications Commission
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DA 12-77
Release Date: January 23, 2012

WIRELINE COMPETITION BUREAU SEEKS COMMENT ON VIRGIN MOBILE USA, L.P.'S PETITION FOR FORBEARANCE FROM ELIGIBLE TELECOMMUNICATIONS CARRIER SERVICE AREA REQUIREMENT

WC Docket No. 09-197

Comment Date: February 22, 2012
Reply Comment Date: March 8, 2012

The Wireline Competition Bureau seeks comment on a petition filed on January 13, 2012 by Virgin Mobile USA, L.P. (Virgin Mobile), a prepaid commercial mobile radio services provider.¹ Virgin Mobile seeks forbearance from the definition of service area contained in section 214(e)(5) of the Communications Act of 1934, as amended, and section 54.207 of the Commission's rules so that it may seek ETC designation for the limited purpose of participating in the Lifeline program, and continue to provide Lifeline service in its designated service areas without seeking redefinition.²

Interested parties may file **comments on or before February 22, 2012**, and **reply comments on or before March 8, 2012**. All pleadings are to reference **WC Docket No. 09-197**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.³

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, D.C. 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8:00 a.m. to 7:00 p.m. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington D.C. 20554.

¹ Virgin Mobile Petition for Forbearance, WC Docket No. 09-197 (filed January 13, 2012) (Petition).

² See Petition at 1-5; 47 U.S.C. § 214(e)(5); 47 C.F.R. § 54.207.

³ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Red 11322 (1998).

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

In addition, one copy of each pleading must be sent to each of the following:

- (1) The Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, www.bcpiweb.com; phone: (202) 488-5300 fax: (202) 488-5563;
- (2) Divya S. Shenoy, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-B510, Washington, D.C. 20554; e-mail: divya.shenoy@fcc.gov; and
- (3) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street, S.W., Room 5-A452, Washington, D.C. 20554; e-mail: charles.tyler@fcc.gov.

Filings and comments are also available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 488-5563, or via e-mail www.bcpiweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁴ Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required.⁵ Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules.⁶

For further information, please contact Divya S. Shenoy, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

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⁴ 47 C.F.R. §§ 1.1200 *et seq.*

⁵ *See* 47 C.F.R. § 1.1206(b)(2).

⁶ 47 C.F.R. § 1.1206(b).